



Federal Communications Commission
Washington, D.C. 20554

DA 05-1332

May 12, 2005

Michael Smith
Alabama, State of
201 Monroe Street
Montgomery, AL 36104

Re: Call Sign E950116
File No. SES-LIC-20050419-00473

Dear Mr. Smith:

On April 19, 2005, you filed the above-captioned application for authority to operate a Temporary-Fixed Ku-Band Transmit/Receive Earth Station. For the reasons discussed below, we dismiss the application as defective, without prejudice to refiling.¹

A review of the application reveals that you did not submit all required information on FCC Form 312 – Schedule B (Items E21 - E60).

Based on the foregoing reason we dismiss the application as incomplete. However, we take this opportunity to apprise you of other concerns we have should you choose to refile the application. We note that in question 20 of the Main Form, you selected Mobile Satellite for the Nature of Service. If your earth station will be fixed while operating, then the Nature of Service is Fixed Satellite. When you refile your application, we suggest that the Nature of Service be revised, if appropriate.

Accordingly, pursuant to Section 25.112(a)(1)² of the Commission's rules, we dismiss your application as defective without prejudice.

Sincerely,

Scott A. Kotler
Chief, Systems Analysis Branch
Satellite Division

¹ If Alabama, State of, refiles an application identical to the one dismissed, with the exception of supplying the missing information, it need not pay an application fee. *See* 47 C.F.R. § 1.1109(d).

² 47 C.F.R. § 25.112(a)(1). *See also* Echostar Satellite LLC, *Order on Reconsideration*, DA-4056 (released December 27, 2004).